

IN THE UNITED STATES ARMY
FIRST JUDICIAL CIRCUIT

UNITED STATES)

v.)

MANNING, Bradley E., PFC)
U.S. Army, (b) (7)(C))
Headquarters and Headquarters Company, U.S.)
Army Garrison, Joint Base Myer-Henderson Hall,)
Fort Myer, VA 22211)

**DEFENSE MOTION TO
MERGE SPECIFICATIONS 4
AND 6 OF CHARGE II FOR
FINDINGS**

DATED: 30 July 2013

RELIEF SOUGHT

1. COMES NOW PFC Bradley E. Manning, by counsel, pursuant to applicable case law and Rule for Courts Martial (R.C.M.) 924(c), requests this Court to merge Specifications 4 and 6 of Charge II for findings.

STANDARD

2. "In a trial by military judge alone, the military judge may reconsider any finding of guilty at any time before announcement of sentence." R.C.M. 924(c).

DISCUSSION

3. The Government has conceded that the transmissions in Specifications 5 and 7 of Charge II were one transmission. The Court has previously stated that the Defense may make a motion to merge these specifications for findings after findings are announced. *See* Appellate Exhibit 78. Similarly, the taking of the information charged in Specifications 4 and 6 of Charge II, which is the subject of Specifications 5 and 7 of Charge II was one transaction. PFC Manning took these items at the same time. As such, the Defense requests that these specifications be merged as well for findings.

CONCLUSION

4. In light of the foregoing, the Defense requests this Court to merge Specifications 4 and 6 of Charge II for findings.

Respectfully submitted,



DAVID EDWARD COOMBS
Civilian Defense Counsel